

AMENDED IN SENATE JULY 8, 1999
AMENDED IN ASSEMBLY MAY 6, 1999
AMENDED IN ASSEMBLY APRIL 6, 1999

CALIFORNIA LEGISLATURE—1999–2000 REGULAR SESSION

ASSEMBLY BILL

No. 510

Introduced by Assembly Member Wright

February 18, 1999

An act to add Section 18910 to, to repeal Section 11265.2 of, and to repeal and add Section 11265.1 of, the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 510, as amended, R. Wright. Public social services: recipient reporting.

Existing law contains recipient reporting requirements for the California Work Opportunities and Responsibility to Kids (CalWORKs) program and the federal Food Stamp Program.

This bill would revise and recast those recipient reporting provisions under these programs, including timelines for the required frequency of reports. The bill would generally reduce the frequency of reports, but require recipients to report certain changes in information that affects the recipient's eligibility under these programs.

Because the bill imposes certain requirements on each county, the bill would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11265.1 of the Welfare and
2 Institutions Code is repealed.

3 SEC. 2. Section 11265.1 is added to the Welfare and
4 Institutions Code, to read:

5 11265.1. (a) Each county shall conduct an annual
6 ~~eligibility redetermination, and may, at the county's~~
7 ~~discretion, conduct an annual face-to-face eligibility~~
8 ~~redetermination for any or all recipients. Subsequent~~
9 ~~face-to-face interviews eligibility redetermination. A~~
10 *county shall not be required to have a face-to-face*
11 *interview with the recipient at the redetermination,*
12 *unless the United States Department of Agriculture*
13 *requires the annual food stamp redetermination to*
14 *include a face-to-face interview with the recipient, but*
15 *may, at the county's discretion, waive the annual*
16 *face-to-face interview as part of the eligibility*
17 *redetermination for any recipient who has regular*
18 *contact with the county through CalWORKs or other*
19 *similar programs. Subsequent face-to-face interviews for*
20 *purposes related to verification of eligibility or the*
21 *provision of CalWORKs services may be conducted at the*
22 *county's discretion.*

23 (b) Each county shall redetermine the financial
24 eligibility of each recipient on a quarterly basis.

25 (c) (1) A recipient shall report, in writing, to the
26 county within 10 days any change in resources, his or her
27 household's monthly income, including source of income,
28 his or her address, or the composition of his or her
29 household if the report would be required under the

1 federal food stamp reporting requirement for
2 nonmonthly reporting households. Upon the report of
3 any required change, the county shall recalculate an
4 assistance unit's grant level.

5 (2) Each quarter the recipient shall complete a
6 quarterly report which shall be signed under penalty of
7 perjury. The report shall include all information
8 necessary to determine financial eligibility in the most
9 ~~recent month. If the recipient fails to submit a quarterly~~
10 ~~report, benefits shall be terminated, after receiving~~
11 ~~notice from the county as required by state and federal~~
12 ~~law, recent month.~~

13 (3) For each of the first two months covered by the
14 quarterly report, the recipient shall ~~make one of the~~
15 ~~following statements as to changes that were required to~~
16 ~~be reported pursuant to paragraph (1):~~

17 (A) ~~There was no change required to be reported.~~

18 (B) ~~All changes previously required to be reported~~
19 ~~were reported in writing.~~

20 (C) ~~A change or changes required to be reported~~
21 ~~pursuant to paragraph (1) was not reported in writing. If~~
22 ~~the recipient makes the statement provided for under~~
23 ~~this subparagraph, he or she shall include in the quarterly~~
24 ~~report the information that should have been reported~~
25 ~~pursuant to paragraph (1).~~

26 (4) ~~If state whether there was any income, and for~~
27 ~~each type of reportable change listed in paragraph (1),~~
28 ~~other than a change of address, whether such a change~~
29 ~~occurred, and if so, whether the change was reported in~~
30 ~~writing. If the recipient states that a reportable change~~
31 ~~occurred during the first two months covered by the~~
32 ~~quarterly report and was not reported in writing or the~~
33 ~~county has no record that a recipient made a written~~
34 ~~report of a change reported in subparagraph (B) of~~
35 ~~paragraph (3), it shall require that the information that~~
36 ~~should have been reported pursuant to paragraph (1) be~~
37 ~~reported in writing and under penalty of perjury within~~
38 ~~10 days of receiving notice from the county. A failure to~~
39 ~~provide the report required by this paragraph within the~~
40 ~~10-day period shall result in a termination of benefits,~~

1 after receiving notice from the county as required by
2 state and federal law.

3 (4) *If the recipient fails to submit a quarterly report,*
4 *benefits shall be terminated. If a quarterly report is not*
5 *received by the date it is due, the county shall attempt to*
6 *make personal contact to remind the recipient that a*
7 *completed report is due, or, if contact is not made, shall*
8 *send a reminder notice to the recipient. Any*
9 *discontinuance notice shall be rescinded and aid shall be*
10 *restored if the report is received by the first working day*
11 *of the month for which aid is paid based on submission of*
12 *the quarterly report.*

13 (d) Notwithstanding any other provision of law, in
14 recalculating the amount of a recipient's grant pursuant
15 to this section, *including the timing and provision of any*
16 *supplementary payment,* changes in the grant amount
17 shall be made on a prospective basis pursuant to food
18 stamp ~~methodology~~ regulations for nonmonthly
19 reporting households.

20 (e) *The reporting forms shall provide a mechanism for*
21 *recipients to retain written documentation of the*
22 *contents of the report.*

23 (f) The food stamp ~~methodology~~ regulations for
24 nonmonthly reporting households shall be used to
25 determine overpayments and underpayments.

26 ~~(f)~~

27 (g) The department shall seek a waiver from the
28 United States Department of Agriculture to increase the
29 income reporting amount for nonmonthly reporting
30 households to eighty dollars (\$80).

31 (h) *Counties may begin implementation of this*
32 *section on January 1, 2000, and shall convert to*
33 *implementation of this section no later than July 1, 2001.*
34 *Counties operating an eligibility simplification project*
35 *may delay implementation of this section until expiration*
36 *of the project if implementation of this section would be*
37 *inconsistent with the federal approval of the eligibility*
38 *simplification project.*

39 SEC. 3. Section 11265.2 of the Welfare and Institutions
40 Code is repealed.

SEC. 4. Section 18910 is added to the Welfare and Institutions Code, to read:

18910. (a) Each county shall conduct an annual eligibility ~~—recertification, and may redetermination.~~ A county shall not be required to have a face-to-face interview with the recipient at the redetermination, unless the United States Department of Agriculture requires the annual Food Stamp redetermination to include a face-to-face interview with the recipient, but may, at the county's discretion, conduct an annual face-to-face eligibility ~~recertification~~ redetermination for any or all recipients. Subsequent face-to-face interviews for purposes related to verification of eligibility or provision of CalWORKs services may be conducted at the county's discretion.

(b) Each county shall ~~recertify~~ redetermine the financial eligibility of each recipient on a quarterly basis, with exception of those exempt from periodic reporting under federal regulations.

(c) (1) A recipient shall report to the county within 10 days any change in resources, his or her household's monthly income, including source of income, his or her address, or the composition of his or her household if the report would be required under the federal food stamp reporting requirement for nonmonthly reporting households. Upon the report of any required change, the county shall recalculate an assistance unit's coupon allotment.

(2) Each quarter the recipient shall complete a quarterly report which shall be signed under penalty of perjury. The report shall include all information necessary to determine financial eligibility in the most recent month. ~~If the recipient fails to submit a quarterly report, benefits shall be terminated, after receiving notice from the county as required by state and federal law.~~ recent month.

(3) For each of the first two months covered by the quarterly report, the recipient shall ~~make one of the following statements as to changes that were required to be reported pursuant to paragraph (1):~~

1 ~~(A) There was no change required to be reported.~~

2 ~~(B) All changes previously required to be reported~~
3 ~~were reported in writing.~~

4 ~~(C) A change or changes required to be reported~~
5 ~~pursuant to paragraph (1) was not reported in writing. If~~
6 ~~the recipient makes the statement provided for under~~
7 ~~this subparagraph, he or she shall include in the quarterly~~
8 ~~report the information that should have been reported~~
9 ~~pursuant to paragraph (1).~~

10 ~~(4) If state whether there was any income, and for~~
11 ~~each type of reportable change listed in paragraph (1),~~
12 ~~other than a change of address, whether such a change~~
13 ~~occurred, and if so, whether the change was reported in~~
14 ~~writing. If the recipient states that a reportable change~~
15 ~~occurred during the first two months covered by the~~
16 ~~quarterly report and was not reported in writing or the~~
17 ~~county has no record that a recipient made a written~~
18 ~~report of a change reported in subparagraph (B) of~~
19 ~~paragraph (3), it shall require that the information that~~
20 ~~should have been reported pursuant to paragraph (1) be~~
21 ~~reported in writing and under penalty of perjury within~~
22 ~~10 days of receiving notice from the county. A failure to~~
23 ~~provide the report required by this paragraph within the~~
24 ~~10-day period shall result in a termination of benefits,~~
25 ~~after receiving notice from the county as required by~~
26 ~~state and federal law.~~

27 ~~(4) If the recipient fails to submit a quarterly report,~~
28 ~~benefits shall be terminated. If a quarterly report is not~~
29 ~~received by the date it is due, the county shall attempt to~~
30 ~~make personal contact to remind the recipient that a~~
31 ~~completed report is due, or, if contact is not made, shall~~
32 ~~send a reminder notice to the recipient. Any~~
33 ~~discontinuance notice shall be rescinded and aid shall be~~
34 ~~restored if the report is received by the first working day~~
35 ~~of the month for which aid is paid based on submission of~~
36 ~~the quarterly report.~~

37 ~~(d) Notwithstanding any other provision of law, in~~
38 ~~recalculating the amount of a recipient's coupon~~
39 ~~allotment pursuant to this section, including the timing~~
40 ~~and provision of any supplementary payment, changes in~~

1 the coupon allotment shall be made on a prospective basis
2 pursuant to food stamp—~~methodology~~ regulations for
3 nonmonthly reporting households.

4 (e) *The reporting forms shall provide a mechanism for*
5 *recipients to retain written documentation of the*
6 *contents of the report.*

7 (f) The food stamp ~~methodology~~ regulations for
8 nonmonthly reporting households shall be used to
9 determine overissuances and underissuances.

10 ~~(f)~~

11 (g) The department shall seek a—~~waiver~~ waivers from
12 the United States Department of Agriculture to
13 implement quarterly reporting, to eliminate the
14 face-to-face interview at redetermination, and to
15 increase the income reporting amount for nonmonthly
16 reporting households to eighty dollars (\$80).

17 (h) *Counties may begin implementation of this*
18 *section on January 1, 2000, and shall convert to*
19 *implementation of this section no later than July 1, 2001.*
20 *Counties operating an eligibility simplification project*
21 *may delay implementation of this section until expiration*
22 *of the project if implementation of this section would be*
23 *inconsistent with the federal approval of the eligibility*
24 *simplification project.*

25 SEC. 5. No reimbursement is required by this act
26 pursuant to Section 6 of Article XIII B of the California
27 Constitution because this act provides for offsetting
28 savings to local agencies or school districts that result in
29 no net costs to the local agencies or school districts, within
30 the meaning of Section 17556 of the Government Code.